

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS

November 4, 1981

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, November 4, 1981 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - Hughes, Katnich, Murphy, Pinkerton
and McCarty (Mayor)

Absent: Councilmen - None

Also

Present: City Manager Graves, Assistant City Manager
Glenn, Community Development Director Schroeder,
City Attorney Stein and City Clerk Reimche

INVOCATION

The invocation was given by City Clerk Reimche.

PLEDGE

The Pledge of Allegiance was led by Mayor McCarty.

PRESENTATIONS

"CLEAN HOUSE" DAY IN
LODI ANNOUNCED

A short presentation was given by Dave Vaccarezza of Sanitary Disposal Company, Inc., regarding a "Clean House" day in Lodi to be held on November 27, 1981 at which time Lodi area residents and businesses can bring all their trash to Lodi's new indoor dump and recycling center free.

DOWNTOWN ASSESSMENT
DISTRICT

Following a presentation by Walter Sanborn, Chairman of the Central Lodi Improvement Committee asking the City of Lodi to be included in the downtown assessment district, with the tacit concurrence of the Lodi City Council, the matter was referred to Staff for additional information and a report to the Council at a future meeting.

PUBLIC HEARINGS

TURNER ROAD AND CLUFF
AVENUE ASSESSMENT
DISTRICT NO. 1

Notice thereof having been published and posted in accordance with law and affidavit of publication and posting being on file in the office of the City Clerk, Mayor McCarty called for the Public Hearing to consider the Turner Road and Cluff Avenue Assessment District.

Council was apprised that a letter had been received from Timothy J. Hachman, Attorney at Law, Blewett, Garretson and Hachman advising that the property owners sponsoring the district have not yet made a determination concerning the timing for the financing of the project and requesting that the matter be continued to November 18, 1981.

Council was further apprised that the City had attempted to contact all interested parties, apprising them of the request to continue the matter.

There were no persons in the audience wishing to speak on the matter.

On motion of Mayor Pro Tempore Murphy, Katnich second, the matter was continued to the regular Council Meeting of Wednesday, November 18, 1981.

APPEAL OF PLANNING
COMMISSION'S
CONDITIONAL APPROVAL
OF THE REQUEST OF
ALADDIN'S CASTLE, INC.
FOR A USE PERMIT FOR
AN ELECTRONIC GAMES
CENTER (i.e. FAMILY
ENTERTAINMENT CENTER
AT 780 WEST KETTLEMAN
LANE IN THE VINEYARD

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor McCarty called for the Public Hearing to consider the appeal of Mr. Tom Dutra, 801 Brandywine Drive, Lodi, California, of the Planning Commission's conditional approval of the request of Aladdin's Castle, Inc., for a Use Permit for an Electronic Games Center (i.e. Family Entertainment Center, at 780 West Kettleman Lane in the Vineyard Shopping Center in an area zoned P-D (15), Planned Development District No. 15).

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SHOPPING CENTER IN THE matter was introduced by Community Development Director
AN AREA ZONED Schroeder, who presented diagrams of the subject area.

P-D(15), PLANNED
DEVELOPMENT
DISTRICT NO. 15
DENIED

The following persons spoke in favor of the conditional approval of the request for a Use Permit:

- a) Mr. Roy Edwards, 121 W. Pine Street, Lodi
- b) Mr. Steven Gordon, Aladdin's Castle, Inc., 4401 Atlantic Avenue, Long Beach, California

The following person spoke on behalf of the appeal:

- a) Mr. Tom Dutra, 801 Brandywine Drive, Lodi

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

Following discussion, with questions being directed to those persons who had given testimony, Council on motion of Councilman Pinkerton, Katnich second, denied the appeal of Mr. Tom Dutra, 801 Brandywine Drive, Lodi, of the Planning Commission's conditional approval of the request of Aladdin's Castle, Inc., for a Use Permit for an Electronic Game Center (i.e. Family Entertainment Center, at 780 W. Kettleman Lane in the Vineyard Shopping Center in an area zoned P-D(15), Planned Development District No. 15.

PLANNING
COMMISSION

Council received the following report of the Planning Commission meeting of October 26, 1981:

The Planning Commission -

GENERAL PLAN LAND
USE ELEMENT
AMENDMENT
GPA-LU-81-3

1. recommended approval of General Plan-Land Use Element Amendment No. GPA-LU-81-3 which consists of two sections:

Section 1. - The request of Vernon Ekstrom, et al to redesignate the .62 acre parcel at 1435 Academy Street from Low Density Residential to Commercial, and to certify the filing of a Negative Declaration (ND-81-25).

Section 2. - The request of Moss and Craig on behalf of Aladdin Real Estate to redesignate the 2.30 acre parcel at 1420 W. Kettleman Lane from Office-Institutional to Commercial; and to certify the filing of a Negative Declaration.

2. Recommended the approval of the request of Vernon Ekstrom, et al to rezone the .62 acre parcel at 1435 Academy Street from R-2, Single-Family Residential, to C-M, Commercial-Light Industrial.

3. Recommended the approval of the request of Moss and Craig on behalf of Aladdin Real Estate to amend P-D(15), Planned Development No. 15, to permit the 2.30 acre parcel at 1420 W. Kettleman Ln. to conform to the C-S, Commercial Shopping District, rather than the R-C-P, Residential Commercial-Professional District.

On motion of Mayor Pro Tempore Murphy, Hughes second, items 1, 2, and 3 heretofore set forth were set for Public Hearing on November 18, 1981.

ITEMS OF
INTEREST

The Planning Commission also -

1. Approved the request of Earth City Development and Construction on behalf of L.D. Tonn for a Revised Tentative Parcel Map to divide Lot 7 and the north 8.5 feet of Lot 5, Eddleman Track (i.e. San Joaquin Assessor Parcel No. 049-080-41) into five parcels with Parcel "E" serving for access and utility purposes.

2. Chairman Marzolf appointed the following persons to the Site Plan and Architectural Review Committee uniform development standards committee: Mayor James McCarty; City Councilman Robert Murphy; Planning Commissioner Joanne Hoffman; Planning Commissioner Chairman Harry Marzolf; SPARC Member Roger Stafford; and SPARC member Donald Kundert.

COMMUNICATIONS

City Clerk Reimche presented the following Applications for Alcoholic Beverage License:

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ABC LICENSES

- a) Pay'N Save, 300 N. Kettleman Lane, Lodi, off-sale beer and wine
- b) K-Mart Corporation, 420 S. Cherokee Lane, Lodi - off-sale beer and wine
- c) Spurgin's Arco, 225 S. Cherokee Lane, Lodi - off-sale beer and wine

CLAIMS

City Clerk Reimche presented the following Claims which had been filed against the City of Lodi advising that it was the recommendation of R. L. Kautz and Company and the City Attorney that the Claims be denied:

- a) Sherry Wagner
- b) Pacific Telephone Company

On motion of Mayor Pro Tempore Murphy, Katnich second, the heretofore listed Claims were rejected and referred to R. L. Kautz and Company.

CHECK RECEIVED
FROM OLD LODI
UNION HIGH SCHOOL
SITE FOUNDATION

Council received, with appreciation, a check from the Old Lodi Union High School Site Foundation in the amount of \$610.00

PETITION RECEIVED
RE NO-PARKING ZONE
ON THE SOUTH-WEST
CORNER OF LODI AVE.
AND SOUTH SUNSET
DRIVE

City Clerk Reimche presented a petition which had been received from residents of South Sunset Drive, Lodi, requesting that a no-parking zone be established on the southwest corner of Lodi Avenue and South Sunset Drive to extend approximately 45 feet southward from Lodi Avenue. Mr. Manuel E. Rocha, Jr., 324 S. Sunset Drive, Lodi, who was the circulator of the petition was in the audience and indicated that he was willing to respond to any of Council's questions regarding the matter. On motion of Mayor Pro Tempore Murphy, Katnich second, Council referred the matter to Staff and asked that Council be given a report on the matter as soon as possible.

COMMENTS BY CITY
COUNCILMEN

Questions were posed to the City Manager by Mayor Pro Tempore Murphy regarding the Annual Leaf Pick-up Program and when it is to commence, schedules, etc.

ANNUAL LEAF
PICK-UP PROGRAM

REPORTS OF THE
CITY MANAGER

In accordance with report and recommendation of the City Manager, the following actions, hereby set forth between asterisks, on motion of Councilman Pinkerton, Murphy second, were approved by the Council.

CONSENT CALENDAR

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,910,072.97.

"NO PARKING" ZONE
ESTABLISHED ON
S. STOCKTON
STREET

Council was informed that the Engineering Division had received from Edwin Wall, Jr., the Purchasing Manager of Pacific Coast Producers, to establish a 25-foot no parking zone south of the driveway between the can plant and the cannery. Pacific Coast Producers has requested this zone to prevent employees from parking too close to the driveway. The large trucks using this driveway need the extra space to maneuver, and in recent months a number of cars have been hit by these trucks.

RES. NO. 81-149

Following recommendation of Staff, Council adopted the following resolution:

RESOLUTION NO. 81-149

RESOLUTION ESTABLISHING A "NO PARKING" ZONE ON SOUTH STOCKTON STREET IN THE VICINITY OF THE PACIFIC COAST PRODUCERS, INC.

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WOOCK REORGANIZATION

22-3 (2)

City Attorney Stein introduced agenda item "c" - "Resolution Received From LAFCO Disapproving Woock Reorganization and Detachment". Following a length discussion with questions being directed to Staff, Council, on motion of Mayor Pro Tempore Murphy, Katnich second, directed that the Local Agency Formation Commission of San Joaquin County be contacted by Staff with the request that the Woock Reorganization and Detachment, which LAFCO disapproved without prejudice pursuant to LAFCO Resolution 531 be reconsidered by LAFCO pursuant to Government Code Section 54799.1. It is the request of the Lodi City Council that LAFCO delete the condition of rezoning and either approve or disapprove the Woock Reorganization.

PEAK SHAVING
COMMITTEE

22-5 (3)

Ms. Charlene Lange, Community Relations Assistant, addressed the Council advising the City Council that the Peak Shaving Committee which had been appointed by the Mayor had fulfilled its obligation of creating a campaign to shift electrical demand from 1 - 7 p.m. during the months of June through September.

The City of Lodi experienced a June reduction of 2.5% and an August reduction of 4.09%. The contract with P.G.&E (sponsors of the programs calls for the City to donate 30% of the power cost savings to a community energy project. The total amount of money being \$6,009.53.

In anticipation of the community shaving the peak demand and "earning money" for such a project, the committee offered a chance for people interested in the project to vote on their idea of where the money should be placed. The vote tally includes:

- 33% - Lodi Community Center Landscaping
- 26% - Lodi Community Center Solar Water Heating
- 26% - Lodi Grape and Wine Festival Shade Trees
- 11% - Salas Park Lighting Timers
- 3.5% - Individual Ideas

The contract indicates a recommendation for placement of monies by the Committee; their recommendation is to use the funds for Landscaping at the Lodi Community Center.

On motion of Councilman Pinkerton, Murphy second, Council extended its appreciation to Ms. Lange and the Committee for their efforts on this program and donated 30% of the power cost savings or \$6,009.53 to the Lodi Community Center Landscaping.

DISSOLUTION OF
COMMUNITY
DEVELOPMENT
COMMITTEE

22-6

Council was apprised that the Community Development Committee, a seven-member constituent body with representation from the Council was appointed by Mayor Wally Katnich in January, 1981.

The Committee was charged with presenting a recommendation for future use and development of properties owned by the City including:

- the Old LUHS Site
- the Carnegie Library
- Utility Facility/Recreation Department, Main Street
- Maple Square Firehouse

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The Committee recommended to the Council last Spring actions to be taken on each of the various properties. Staff is currently working on fulfilling these recommendations; it is the opinion of the Committee's Chairman, Dr. Frank Johnson that this Committee has met their charge fully and should be disbanded.

The Committee includes:

Mr. Glen Baumbach

Mr. Ken Boyd

Reverend Herbert Hirschfeld

Dr. Frank Johnson

Mrs. Oneta Lange

Mrs. Esther Lund

Mrs. Sheri Mallory

Councilman James Pinkerton

Dr. Dennis Swanson

On motion of Councilman Katnich, Murphy second, the Committee was formally disbanded. Council expressed its sincere appreciation to the Committee for its work and directed the City Clerk to prepare certificates of appreciation for each committee member.

AGREEMENT WITH
DELMAR BATCH FOR
LEASE OF CITY
PROPERTY APPROVED

cc-2100

Following introduction of the matter by City Manager Glaves, Council, on motion of Councilman Pinkerton, Murphy second, approved the Agreement with Delmar Batch - renewal of lease of the 27 acre "Hines" Parcel and authorized the City Manager and City Clerk to execute the Agreement on behalf of the City.

EXISTING CONFLICT OF
INTEREST CODE
AMENDED TO INCLUDE
SPARC MEMBERS

RES. NO. 81-150

cc-16
cc-300

Following introduction of the matter by City Clerk Reimche, Council, on motion of Mayor Pro Tempore Murphy, adopted Resolution No. 81-150 amending the City of Lodi's Conflict of Interest Code to require members of the Site Plan and Architectural Review Committee to file conflict of interest filings. The motion was seconded by Councilman Hughes and carried by the following vote:

Ayes: Councilmen - Hughes, Katnich, Murphy and McCarty

Noes: Councilmen - Pinkerton

RESOLUTION RE
TWO-HOUR PARKING ON
STREETS AND OFF-STREET
PARKING LOTS

RES. NO. 81-151

cc-48(a), cc-300
AWARD - PUBLIC
TRANSIT VEHICLES

RES. NO. 81-152

cc-48(a), cc-300

Following introduction of the matter by the City Manager, Council, on motion of Mayor Pro Tempore Murphy, Hughes second, adopted Resolution No. 81-151 allowing two-hour parking on streets and off-street parking lots 1, 2, 3, 4, and 5 except portion of Lot No. 5 which is restricted to permit parking only.

Council was reminded that it had authorized staff to prepare specifications for Ford LTD Station Wagons with 302 V8 cu. in gasoline engine, and Chevrolet Impala Station Wagons with 350 cu. in. diesel engine. The following bids were received:

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Davis Chevrolet - Chevrolet Impala	\$ 9,812.99/unit
Chase Chevrolet - Chevrolet Impala	10,179.00/unit (1)
Sanborn Chevrolet - Chevrolet Impala	9,615.80/unit (2)
Senator Ford - Ford LTD	9,444.46/unit
Fairway Ford - Ford LTD	9,620.90/unit
Geweke Ford - Ford LTD	9,474.16/unit
Baldwin Olds - Oldsmobile Cutlass w/ gasoline	10,510.37/unit
Baldwin Olds - Oldsmobile Cutlass w/diesel	11,405.36/unit

(1) Chase Chevrolet included license which is not necessary. True price would be \$10,017.00.

(2) Sanborn Chevrolet submitted their bid without sales tax. True price would be \$10,192.75.

Council was apprised that the City did not solicit formal bids for Checker Cab as there is only one supplier.

Instead, the City obtained telephone quotations as follows:

Gasoline	\$10,195.00
Diesel	\$12,000.00

The engines are the same as the Chevrolet engine and the cost is considerably greater than any other quotation. It was Staff's recommendation that the City not purchase Checker vehicles.

It was Staff's recommendation that Council award the bid for six (6) Chevrolet Impala Station Wagons to Walt Davis Chevrolet of Elk Grove in the amount of \$58,877.94.

On motion of Councilman Katnich, Murphy second, Council adopted Resolution No. 81-152 awarding the contract for six (6) Chevrolet Impala Station Wagons to Walt Davis Chevrolet of Elk Grove in the amount of \$58,877.94 as recommended by Staff.

CITY COUNCIL
ELECTS NOT TO
PARTICIPATE IN
HARRY ALLEN
PROJECT WITH
NCPA

City Manager Graves apprised the Council that at its last meeting the Commission of the Northern California Power Agency voted to participate in the first phase of the Harry Allen Project being developed by Nevada Power Co. in southern Nevada.

Harry Allen is a 2000 WM coal-fired generating plant estimated to cost \$3.8 billion in 1985 dollars. The project will be composed of our 500 MW units, the first unit presently planned to begin commercial operation in 1986. Published estimate of cost is 85.5 mills/KWH in 1990 dollars. While this price appears very reasonable for 1990, Utility Director Curry has analyzed the report and believes this cost will be exceeded considerably.

According to the studies by R. W. Beck, Lodi would be capable of using 5.1 MW of base load power out of this project; however, these studies were based on load growth estimates provided by Lodi prior to the Green Belt Initiative, and prior to the announcement of the 12 MW allocation of CVP power by W.A.P.A. The participation of Lodi in the current phase of studies on the basis of 5.1 MW will be \$13,130.00; however the Commission's action was to levy

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an assessment of \$27,090.00 to provide funds for participation, apparently anticipating costs beyond the first defined study.

On motion of Councilman Pinkerton, Hughes second, Council concurred that it did not wish to participate in the Harry Allen Project.

REPLACEMENT OF
LIGHT FIXTURES AT
ARMORY SOFTBALL
PARK APPROVED

CC-149
CC-149

Following introduction of the matter by City Manager Graves, Council, on motion of Councilman Katnich, Murphy second, approved a Special Allocation in the amount of \$9500.00 for replacement of light fixtures at the Armory Softball Park.

ORDINANCE
INTRODUCED
PROHIBITING
VEHICLES
EXCEEDING FIVE
TONS TO USE MURRAY
STREET

Following introduction of the matter by City Clerk Reimche, Councilman Pinkerton moved the introduction of Ordinance No. 1243 prohibiting the use of Murray Street by any commercial vehicles or by any vehicles exceeding a maximum gross weight limit of five tons. The motion was seconded by Mayor Pro Tempore Murphy and carried by unanimous vote.

ORD. NO. 1243
INTRODUCED
CC-149, CC-45(a)

LETTER FROM DEPT.
OF TRANSPORTATION
RE STOCKTON STREET
IMPROVEMENTS

City Clerk Reimche read a letter which had been received from the Department of Transportation advising that their agency has completed the environmental assessment for the Stockton Street Improvement Project in Lodi and that it has been found satisfactory for public availability.

ORDINANCES

ORDINANCE AMENDING
CHAPTER 27 OF THE
CITY CODE AS IT
RELATES TO ZONING
(FENCE, HEDGE AND
WALL REQUIREMENTS
AND RESTRICTIONS)

CC-52(a)

Ordinance No. 1242 - An Ordinance Amending Chapter 27 of the Code of the City of Lodi as it Relates to Zoning (Fence, Hedge and Wall Requirements and Restrictions) - having been introduced at a regular meeting of the Council held October 21, 1981, was brought up for passage after reading by title.

On motion of Councilman Katnich, Murphy second, the Ordinance was then adopted and ordered to print by the following vote:

ORD. NO. 1242
ADOPTED

CC-149
CC-149

Ayes: Councilmen - Hughes, Murphy, Pinkerton, Katnich and McCarty

Noes: Councilmen - None

Absent: Councilmen - None

ADJOURNMENT

There being no further business to come before the Council, Mayor McCarty adjourned the meeting at approximately 9:45 p.m.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk

Minutes of November 18, 1981 begin on Page 25.